

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF VIRGINIA
Harrisonburg Division

ANTWHON SUITER,

Plaintiff

v.

COUNTY OF AUGUSTA, et al,

Defendants

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Civil Action No.: 5:22-cv-31

DEFENDANTS' RESPONSE TO PLAINTIFF'S MOTION TO AMEND THE COMPLAINT

Defendants, Augusta County, Donald Smith, Dylan Johnson, and the Augusta County Sheriff's Department, by counsel, respond to Plaintiff's motion to amend the complaint as follows:

1. The proposed amended complaint, in part, drops as parties defendant Augusta County, Virginia, and the Augusta County Sheriff's Department.
2. Preserving all prior defenses and positions, Defendants do not oppose Plaintiff's motion to amend, in light of the requirement that leave to amend should be freely given when justice so requires. *See* Fed. R. Civ. P. 15.

WHEREFORE, Defendants request that this Court terminate as parties defendants Augusta County, Virginia and the Augusta County Sheriff's Department and award Defendants such other and further relief as this Court deems appropriate.

AUGUSTA COUNTY,
DONALD SMITH, SHERIFF,
DYLAN JOHNSON, and
AUGUSTA COUNTY SHERIFF'S DEPARTMENT,

By Counsel

By: /s/ Rosalie Pemberton Fessier
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CERTIFICATE OF SERVICE

I hereby certify that on August 10, 2022, I have electronically filed this document with the Clerk of the Court using the CM/ECF system.

I hereby certify that I have mailed by United States Postal Service the document to the following non-CM/ECF participant:

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Pro se plaintiff

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